**Unofficial Copy** HB 1273/01 - ENV 2003 Regular Session 3lr0675

By: Delegates Leopold and Rosenberg

Introduced and read first time: January 30, 2003

Assigned to: Environmental Matters

# A BILL ENTITLED

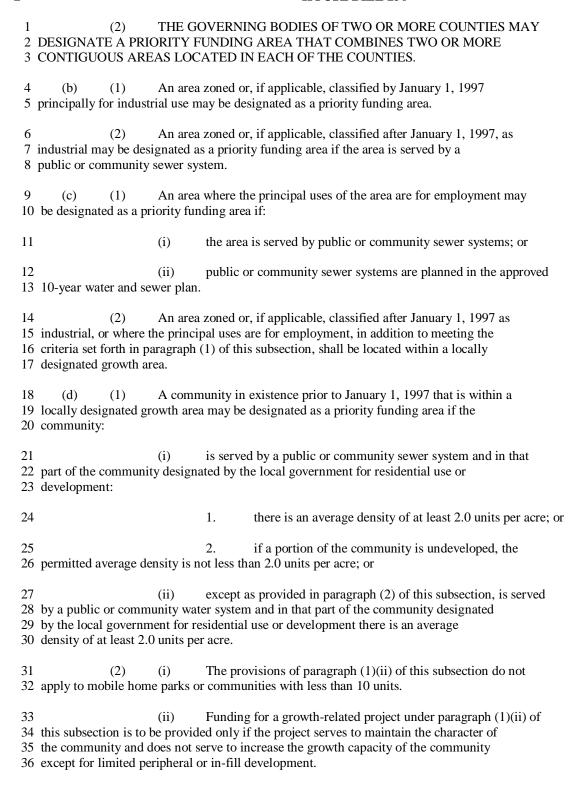
1	AN ACT concerning
2	Smart Growth - Priority Funding Areas - Designation by Two or More Counties
4 5 6 7 8 9 10 11 12 13 14 15 16 17	requirements relating to Smart Growth; requiring that the Department of Planning include areas designated under this Act within a certain map; requiring certain certification by the county governments; authorizing a State funding agency to give priority consideration to funding a project in a priority funding area designated by two or more county governments; and generally relating to priority funding areas designated by two or more county
18 19 20 21 22	

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

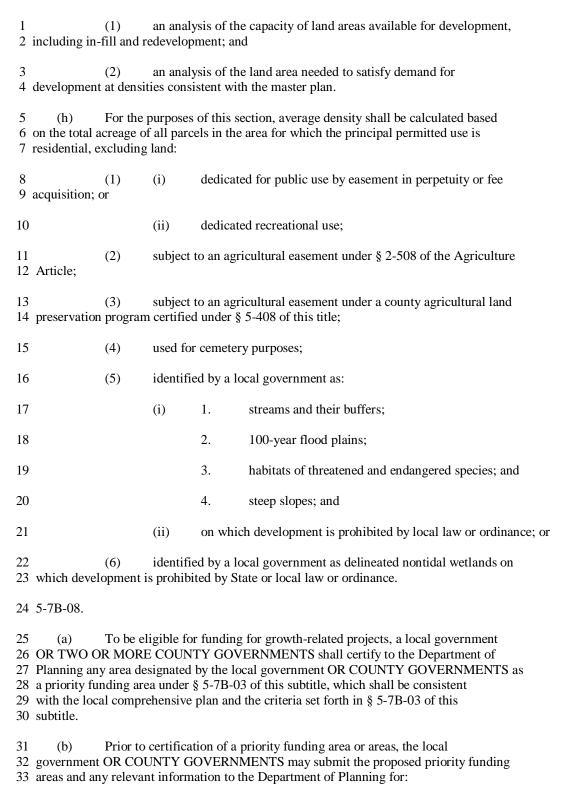
- 24 MARYLAND, That the Laws of Maryland read as follows:
- **Article State Finance and Procurement** 25
- 26 5-7B-03.

23

27 The governing body of a county may designate priority funding areas (1) 28 as provided in this section.



3	(3) (i) If an existing community receives a public or community sewer system, an area beyond the periphery of the developed portion of the existing community may be designated as a priority funding area if the development of the area beyond the periphery:					
5 6	acre; and		1.	has a permitted average density of at least 3.5 units per		
7			2.	the area is served by a public or community sewer system.		
10	(ii) The Department of the Environment may provide funding for a sewer system in an existing community beyond the periphery of the developed portion of the community if the expansion has a permitted average density of at least 3.5 units per acre.					
12 13	2 (e) An area, other than an existing community under subsection (d) of this section, may be designated as a priority funding area if:					
14	(1)	the area:				
15		(i)	is within	n a locally designated growth area of the county; and		
16 17	sewer plan;	(ii)	is plann	ed to be served under the approved 10-year water and		
	the designation represents a long-term development policy for promoting an orderly expansion of growth and an efficient use of land and public services; and					
	1 (3) in that part of the area designated by the local government for 2 residential use or development, there is permitted an average density of not less than 3.5 units per acre.					
24 25	(f) (1) this section if:	A rural	village m	nay be designated as a priority funding area under		
26 27	July 1, 1998; and	(i)	the villa	age is designated in the county comprehensive plan as of		
28 29	developed portion of	(ii) of the villa		ndary of the priority funding area is the periphery of the ruly 1, 1998.		
32	(2) Funding for a growth-related project under this subtitle is to be provided only if the project serves to maintain the character of the community and does not serve to increase the growth capacity of the village except for limited peripheral or in-fill development.					
34 35	(g) The designation by a county of a priority funding area under this section shall be based on:					



- 1 (1) technical assistance, review, and comment; and
- 2 (2) the opportunity for public review.
- 3 (c) Upon certification of a priority funding area, the local government OR
- 4 COUNTY GOVERNMENTS shall provide to the Department of Planning all information
- 5 necessary to demonstrate the precise location of the area, including a map of the area
- 6 showing planning and zoning characteristics, and existing and planned water and
- 7 sewer services as appropriate.
- 8 (d) The Department of Planning, as appropriate, shall provide to each State 9 agency that funds growth-related projects copies of maps illustrating:
- 10 (1) priority funding areas certified by the local government OR COUNTY 11 GOVERNMENTS; and
- 12 (2) any comments by the Department of Planning on the areas certified.
- 13 (e) Prior to funding a growth-related project, the State funding agency shall
- 14 obtain from the affected local government OR COUNTY GOVERNMENTS a written
- 15 statement that the proposed growth-related project is located within a certified
- 16 priority funding area.
- 17 (F) A STATE FUNDING AGENCY MAY GIVE PRIORITY CONSIDERATION TO
- 18 FUNDING A PROJECT IN A PRIORITY FUNDING AREA DESIGNATED BY TWO OR MORE
- 19 COUNTY GOVERNMENTS UNDER § 5-7B-03(A)(2) OF THIS SUBTITLE.
- 20 SECTION 2. AND BE IT FURTHER ENACTED, That, on or before June 1,
- 21 2004, the State Economic Growth, Resource Protection, and Planning Commission
- 22 shall develop and adopt regulations governing the designation of a priority funding
- 23 area by the governing bodies of two or more counties as provided under this Act.
- 24 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take
- 25 effect October 1, 2003.